



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/775,501	02/09/2004	Lecna Peltonen	021825-006300US	2308

20350 7590 11/05/2007
TOWNSEND AND TOWNSEND AND CREW, LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO, CA 94111-3834

EXAMINER

JOHANNSEN, DIANA B

ART UNIT	PAPER NUMBER
----------	--------------

1634

MAIL DATE	DELIVERY MODE
-----------	---------------

11/05/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Examiner-Initiated Interview Summary	Application No. 10/775,501	Applicant(s) PELTONEN ET AL.	
	Examiner Diana B. Johannsen	Art Unit 1634	

All Participants:

(1) Diana B. Johannsen.

(2) Joseph R. Snyder.
Status of Application: pending

(3) _____.

(4) _____.

Date of Interview: 1 November 2007.
Time: N/A (telephonic)
Type of Interview:

- ☒ Telephonic
☐ Video Conference
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☒ No

If Yes, provide a brief description:

Part I.
Rejection(s) discussed:

N/A

Claims discussed:

N/A

Prior art documents discussed:

N/A

Part II.
SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet

Part III.

- ☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.
☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.


**DIANA JOHANNSEN
PRIMARY EXAMINER**


N/A

(Examiner/SPE Signature)

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: Applicant's representative contacted the examiner on 10/24/07 to express concern regarding the restriction requirement (after first action) mailed 10/18/07. Applicant's representative noted that it appeared that the restriction requirement was improper under the new claims/continuation rules, and further that applicant might be unable to file a divisional application after 11/1/07 given that the previous examiner had issued a first action in the application. Phone messages were exchanged on 10/25/07 and the examiner researched the implications of the new rules on the application; however, following the preliminary injunction of 10/31/07 enjoining the USPTO from implementing the rules changes, it was agreed on 11/1/07 that applicant's representative could respond to the requirement of 10/18/07. Applicant's representative indicated that he would traverse the requirement, and the examiner noted that any traversal would be fully considered.